

REMARKS

Included herein is a request for a one-month extension of time along with the appropriate fee.

In the Office Action mailed 7/7/2006, Claims 1-14 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-9 were further rejected under as being obvious under 35 U.S.C. §103(a) over the prior art. Claims 10-14 appeared to be otherwise allowable if the §112 rejection could be overcome.

In response, Applicant and the Examiner conducted an interview on July 25, 2006. During that interview, the Examiner kindly explained his specific grounds for the §112 rejection, namely, that the language on Page 11 of the Specification, as originally filed, contained confusing language that did not serve to adequately disclose the invention. In the course of that interview (as documented in the Interview Summary prepared by the Examiner), new drawing Figure 5 was discussed. The Examiner deemed Figure 5 (combined with the contents of Claim 10, as originally filed) to partially aid in identifying the location of the confusion, but to present an additional issue related to the potential for new matter being introduced in this new drawing figure.

In response, Applicant has herein:

1. replaced new drawing sheet 5 with the attached new drawing sheet 5 in response to the Draftsperson's drawing review;
2. made amendment to the Description of the Drawings portion of the Specification to include new Figure 5;
3. made amendment to the Detailed Description to correct the confusing language filed originally; and

4. made amendment to Claim 1 to conform to that original Claim 10 scope of disclosure (by essentially amending in the limitations of Claim 3); and
5. made amendment to Claim 10 to provide even further clarity regarding the details of the claimed invention (in view of the current understanding regarding the source of the confusion).

Regarding the potential for new matter being entered by virtue of the addition of Figure 5 and its related description in the enclosed Specification amendment, Applicant respectfully asserts that these two amendments simply correct a typographical error introduced by the undersigned. The inventive aspects contained within Figure 5 were in the inventor's hands as of the filing of the original Specification – Claim 10 makes this clear. Furthermore, if Examiner were to consider a sister application to the present application, Ser. No. 10/785,353, filed on the same day as the instant application, Figure 6 contained therein (and the associated discussion related thereto) specifically refers to the relationship between the cross-over point and the connecting vectors. The Examiner, in his Action, paragraph 5, in fact directs Applicant to add reference to this application. The Examiner did make an error by specifying 10/785,356 as the proper serial number (that in fact is the serial number of the instant application) – 10/785,353 is the application to which referral is made through the original invention title as filed in the prior-filed provisional application (which included the entirety of the '353 Figure 6). As such, there is no new matter, and this ground for rejection would therefore respectfully be improper.

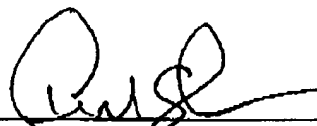
Applicant respectfully incorporates its previous arguments traversing the prior art rejections herein, and therefore respectfully asserts that all grounds for rejection have been overcome.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims be allowed, and the case passed to issue.

Respectfully submitted,

STEINS & ASSOCIATES



Karl M. Steins
Registration No. 40,186
2333 Camino del Rio South
Suite 120
San Diego, California 92108
Telephone: (619) 692-2004
Facsimile: (619) 692-2003